

REMARKS

35 USC §102

Claims 1-33 are rejected under 35 USC §102(b) as being anticipated by Nguyen et al. (US Patent Publication 2001/0038093). The Applicant respectfully disagrees.

Amended claim 1 recites as follows:

"A thermal transfer material, comprising:

a heat spreader component, wherein the heat spreader component comprises a top surface, a bottom surface and at least one heat spreader material, and

at least one thermal interface material, wherein the thermal interface material comprises a phase change material and wherein the thermal interface material is directly deposited onto at least part of the bottom surface of the heat spreader component." (emphasis added)

Claims 17 and 31 have similar amendments to that of claim 1, as shown above. The Nguyen reference doesn't disclose utilization of thermal interface materials comprising phase change materials, and as a matter of fact, teaches against such use in the Background. "Anticipation requires the disclosure in a single prior art reference of each element of the claim under consideration." *W. L. Gore & Assocs. v. Garlock, Inc.*, 721 F.2d 1540, 220 USPQ 303, 313 (Fed. Cir. 1983) (citing *Soundsciber Corp. v. United States*, 360 F.2d 954, 148 USPQ 298, 301 (Ct. Cl.), *adopted*, 149 USPQ 640 (Ct. Cl. 1966)) Further, the prior art reference must disclose each element of the claimed invention "arranged as in the claim". *Lindermann Maschinenfabrik GmbH v. American Hoist & Derrick Co.*, 730 F.2d 1452, 221 USPQ 481, 485 (Fed. Cir. 1984)(citing *Connell v. Sears*,

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Roebuck & Co., 722 F.2d 1542, 220 USPQ 193 (Fed. Cir. 1983)). Claim 1, 17 and 31 are therefore allowable as not being anticipated by Nguyen. Further, Nguyen does not anticipate the remaining dependent claims of the present application by virtue of their dependency on claim 1.

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REQUEST FOR A TELECONFERENCE

The undersigned Attorney-of-Record requests a teleconference to discuss this case, if the current amendments do not place it in condition for allowance. Dr. Thompson is available generally Monday-Thursday from 8AM to 6PM PDT and can be reached at 949-224-6282.

REQUEST FOR ALLOWANCE

Claims 1-13, 15-27 and 29-32 are pending in this application, and the Applicant respectfully requests that the Examiner reconsider all of the claims in light of the arguments presented and allow all current and pending claims.

Respectfully submitted,
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